**THE HONOURABLE SRI JUSTICE C.V. RAMULU**

**WRIT PETITION NO.305 OF 2005**

**DATED: 18-7-2007**

Between:

Bheemireddy Nagi Reddy

.. Petitioner

and

The Director General of Police, Govt. of A.P., Hyderabad and others.

.. Respondents

**THE HONOURABLE SRI JUSTICE C.V. RAMULU**

**WRIT PETITION NO.305 OF 2005**

**ORDER:**

This writ petition is filed seeking a mandamus to direct the 1st respondent to entrust the investigation in Crime No.43 of 2004 of Mangalagiri Rural Police Station to C.B.C.I.D., by entirely reviewing the investigation conducted till date.

It appears, the son of the petitioner, by name, Sanjeeva Reddy was beaten by some persons on 02.03.2004, while he was passing through Bazaar in Nidamarru village of Mangalagiri Mandal, Guntur District and was hospitalized. On a report given by one Kolli Ranga Reddy, a S.T.D. Booth owner who witnessed the incident, Mangalagiri Rural Police registered a case in Crime No.43 of 2004. Thereafter, the son of the petitioner succumbed to injuries on 14.04.2004, while undergoing treatment in the hospital. While so, the grievance of the petitioner, who is the father of the deceased, is that the police of Mangalagiri has not investigated the matter properly and they have colluded with the accused and, therefore, he seeks a direction to the 1st respondent to entrust the case to C.B.C.I.D. for investigation.

A counter is filed on behalf of the respondents 2 and 3 stating that both the accused in the said crime have voluntarily confessed about the occurrence of offence and, after completion of thorough investigation, the 3rd respondent filed charge sheet before the learned Additional Munsif Magistrate at Mangalagiri, which was numbered as P.R.C.No.28 of 2004 on 09.11.2004, and the same was committed to Sessions Court, where it was numbered as S.C.No.39 of 2005. It was asserted that the Investigating Officer had thoroughly examined the witnesses, recorded their statements and then filed a charge sheet,

therefore, the allegations of the petitioner that the Investigating Officer never bothered to even look into the post mortem certificate, remand report and the F.I.R. and has colluded with the real culprits and trying to weaken the case are incorrect and baseless.

Be that as it may, now it is about 2 ½ years since the writ petition is filed. No interim order was granted by this Court. It is not known at what stage, the trial of the criminal case is.

In view of the same, without expressing any opinion on merits, the 1st respondent is directed to examine the case and take a decision as to whether there is any truth in the contentions raised by the petitioner and whether the matter requires to be investigated by C.B.C.I.D. or not, and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

**C.V. RAMULU, J**

18th July, 2007.

Note:-
Issue order copy in one week.

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